

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Diana R. McWilliams, et al.

Serial No.:

Filing Date:

Examiner:

Group No.:

For: ISOLATION OF GENETIC MOLECULES FROM A COMPLEX
BIOLOGICAL CONSTRUCT FOR USE IN GENETIC EXPRESSION
ANALYSIS

MS Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Information Disclosure Statement

As listed on the accompanying form PTO-1449, applicants submit with this information disclosure statement copies of the indicated references, which applicants believe may be material to the examination of the above-identified application, and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

**Identification Of Time Of Filing The
Information Disclosure Statement**

This Information Disclosure Statement is being filed within three months of the filing date of the national application.

This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.

This Information Disclosure Statement is being filed before the mailing date of the First Office Action on the merits.

This Information Disclosure Statement is being filed after three months of the filing date of the national application or after three months of the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office Action on the merits, but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application.

Accompanying this transmittal is:

a statement specified in 37 CFR § 1.97(e); or

a fee set forth in 37 CFR § 1.17(p)

This Information Disclosure Statement is being filed after the mailing date of a final action under § 1.113, or a notice of allowance under § 1.311 but before the payment of the issue fee.

Accompanying this transmittal is:

1. a statement as specified in 37 CFR § 1.97(e); and
2. a fee set forth in 37 CFR § 1.17(p)

Statement For Information Disclosure Statement 37 CFR 1.97(E)
(Only if Required Above)

I, the person signing below, hereby state that:

- each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(1); or
- no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in the counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 CFR § 1.97(e)(2).

Translations of Foreign Documents

This Information Disclosure Statement includes no patents that are written in Non-English languages.

Fee Payment

- attached is a check in the amount of \$ _____
- charge Deposit Account No. 07-0153 in the amount. \$ _____

A duplicate of this request is attached.

Applicants believe that no additional fees are due for the filing of this IDS. However, if any additional fees are due, or any overpayments have been made, please charge, or credit, Deposit Account No. 07-0153.

Dated: Sept. 12, 2003



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CERTIFICATE OF EXPRESS MAILING

Date of Deposit: 9-12-03 Express Mailing No. EV 169252284 US

I certify that the accompanying paper is being deposited with the United States Postal Service "Express Mail Post Office Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

William ASHER

Name of Person Depositing



Signature

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional) 122294-1007		Application Number	
				Applicant(s) Diana R. McWilliams, et al.			
				Filing Date		Group Art Unit	

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,038,852	8/13/91	Johnson, et al.	164	12	3/14/90
		5,333,675	8/2/94	Mullis, et al.	165	12	2/22/93
		5,614,387	3/25/97	Shen, et al.	435	91.2	5/19/95
		5,783,148	7/21/98	Cottingham, et al.	422	56	6/27/97
		5,746,978	5/5/98	Bienhaus, et al.	422	68.1	7/17/97
		6,403,037 B1	6/11/02	Chang, et al.	422	68.1	2/4/00

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	WO 01/31580 A2	5/3/01	WIPO	3	00	✓	

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.